

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

DR 2000-013174

10/27/2009

COMMISSIONER MINA E. MENDEZ

CLERK OF THE COURT
B. Lambert
Deputy

IN RE THE MARRIAGE OF
MELISSA S VIZZERRA

MELISSA S VIZZERRA
811 W BRADFORD DR
GILBERT AZ 85233

AND

RICHARD C VIZZERRA

R AUSTIN GOODALE

FAMILY COURT CONFERENCE
CENTER-NE
FAMILY COURT SERVICES-CCC

MINUTE ENTRY

Courtroom 103

9:45 a.m. This is the time set for hearing regarding Petitioner/Mother's Petition to Modify Child Support "Simplified Process," filed with the Court on June 23, 2009. Petitioner/Mother is present, appearing on her own behalf. Respondent/Father is present, appearing with above-named counsel.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

LET THE RECORD REFLECT that prior to the commencement of today's hearing the parties and counsel met with Family Court Conference Center, Kimberly Amos. The Court is advised by the Conference Officer that the parties are unable to reach an agreement regarding Respondent/Father's income and whether or not Petitioner/Mother is entitled to receive credit for extraordinary expenses for the parties' minor child.

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Melissa Vizzerra and Richard Vizzerra are sworn.

Respondent/Father's counsel presents arguments to the Court.

Richard Vizzerra testifies.

Melissa Vizzerra testifies.

Discussion is held with the Court.

10:14 a.m. Court stands in recess.

10:18 a.m. Court reconvenes with all respective parties present.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Respondent/Father's counsel advises the Court that the parties conferred during the Court recess and reached an agreement; however, the Court finds that the parties' agreement to modify child support to \$363.16 per month is not in the child's best interest and the Court rejects the parties' agreement.

Based on the testimony and evidence presented this date,

THE COURT FINDS that a calculation attributing overtime hours to Respondent/Father is appropriate, but does not result in a 15% or more change in circumstances.

THE COURT FURTHER FINDS that Petitioner/Mother is not entitled to receive credit for extraordinary expenses related to the parties' minor child.

IT IS ORDERED denying Petitioner/Mother's Petition to Modify Child Support.

For the reasons stated on the record,

THE COURT FURTHER FINDS that Petitioner/Mother was not warranted in bringing forth the Petition to Modify Child Support.

IT IS THEREFORE ORDERED awarding to Respondent/Father attorney fees and costs in the amount of \$600.00, which shall be paid directly to Respondent/Father by Petitioner/Mother in three (3) separate installments of \$200.00 each, to be paid in full not later than February 15, 2010.

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LET THE RECORD REFLECT that Respondent/Father's counsel is not required to submit an affidavit for attorney fees to the Court as he has avowed in open Court the amounts charged to his client in this matter.

11:56 a.m. Matter concludes.

FILED: Exhibit Worksheet

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.